

NNNNYDRZZCS: 12-12-21

L. POLLAK - YOUR COPY

SENT
TELEX ROOM

*Copies to A. Palmer
H. Kotter*

1980 DEC 12 AM 10:15

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MR. HAMISH MAXWELL - VISITING

PHILIP MORRIS INT'L
N.Y.C.

CC: L. POLLAK (PMI)

WE HAD A MEETING THIS MORNING WITH THE PATENT ATTORNEYS
TO GO OVER THE PATENT SITUATION HERE IN EUROPE FOR THE
BARCLAY FILTER.

IT TURNS OUT THAT PHILIP MORRIS FILED A PTENT APPLICATION
IN THE U.S., WESTERN GERMANY, THE U.K. AND AUSTRALIA IN 1977
FOR A FILTER WHICA WOULD APPEAR TO GIVE US ALMOST CLEAR RIGHTS TO
THE USE OF THE BARCLAY FILTER. THE U.S. PATENT FILING WAS
NUMBER 853 146 OF NOVEMBER 18, 1977.

ACCORDING TO OUR PATENT ATTORNEY THIS FILING, WHICH PRECEDED
THE B.A.T. FILING, GIVES US A 99 O/O CHANCE OF USING THE
BARCLAY FILTER IN GERMANY AND ENGLAND. IT WOULD APPEAR TO US
THAT THIS PATENT APPLICATION WOULD ALSO ENABLE US TO USE THE
BARCLAY FILTER IN THE U.S. AND IN AUSTRALIA.

IN ORDER FOR US TO TKE THE NECESSARY STEPS TO COMPLETELY
PROTECT OUR RIGHT TO USE THE BARCLAY FILTER IN ENGLAND AND
GERMANY, WE WOULD LIKE TO BE GIVEN AUTHORITY BY PHILIP
MORRIS INCORPORATED, TO ADMINISTER THE PATENT
APPLICATIONS AND TAKE WHATEVER STEPS ARE NECESSARY TO
ACCELERATE THE GRANTING PROCEDURE.

WE HAVE ASKED LEE POLLAK TO CONTACT ALEX HOLTZMAN TODAY AND
HAVE ALEX WRITE A LETTER TO HELMUT GAISCH AUTHORIZING HELMUT
TO HANDLE ALL MATTERS RELATING TO THE PATENT APPLICATIONS
LODGED IN ENGLAND AND GERMANY.

REGARDING THE OTHER MAJOR MARKETS IN EUROPE, THE PATENT
ATTORNEYS HAVE NOT HAD TIME TO ASSESS THE SITUATION. WE